

Changing a Permanent Plan

(Revised 08/30/2019)

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Forms

The following form is referenced in this file:

- [JV-180](#) Request to Change Court Order

Policy

When the reunification time period has expired and the child has not been returned home, the court must select a permanent plan. The permanent plans in order of preference (permanence) are:

- Adoption
- Tribal Customary Adoption (TCA)
- Legal Guardianship
- Placement with a fit and willing relative
- Continued out-of-home care for a child under the age of 16 years old
- Another Planned Permanent Living Arrangement (APPLA) (only for a child 16 years and older).

If a child has a PP other than Adoption, TCA or Legal Guardianship, efforts must continue to be made to identify a more permanent plan for the child, including returning the child to the home of the parents if assessed to be safe.

Changing a permanent plan

Frequently after a permanent plan is ordered and implemented, new placements become available and the permanent plan needs to be changed. The requirements to change from one permanent plan to another are outlined below.

If the ordered PP is...	...and the recommendation is to change the PP to...	then...
Placement with a fit and willing relative, continued foster care, or APPLA	Adoption or Guardianship	<ul style="list-style-type: none">• The SW will file a 388 petition using the JV-180 to request a new 366.26 Hearing be set to select a new Permanent Plan.• If a Review Hearing is not scheduled within 60 days the SW will request a Special Hearing on the 388 petition.
Guardianship	Adoption	<ul style="list-style-type: none">• The guardian will file a 388 using the JV-180 to request a new 366.26 Hearing.• If a non-relative guardianship and CWS has an open case, the assigned SW can file the 388. See Petitions (Motions) - 388.
Adoption	Guardianship	<p>The SW will:</p> <ul style="list-style-type: none">• Request or complete a Guardianship assessment of the proposed guardian.• If the Post Permanency Review is scheduled soon, request that the plan be changed and that Letters of Guardianship be issued.• If the PP Review Hearing isn't within 60 days , file a 388 requesting the plan be changed to Guardianship.
Guardianship	A Different Guardian (AKA Successor Guardian)	<ul style="list-style-type: none">• The guardian will file a 388 petition requesting the Guardianship be transferred to a Successor Guardian.• The Guardianship Unit will complete a Guardianship Assessment on the prospective guardian.

**Procedure
for filing a
388 to
change a
permanent
plan**

This table describes how to file a 388 petition to change a permanent plan.

STEP	WHO	ACTION
1	SW	<ul style="list-style-type: none">• Contact CC and request an appointment to file a 388 petition.• Document reason for change using the JV-180.• Send to CC at CCJDScreening@sdcounty.ca.gov.
2	CC	<ul style="list-style-type: none">• Review JV-180, request changes if needed.• Request a Special Hearing if a Review Hearing is not upcoming.

**Alignment
with SET**

This policy supports the following SET Values:

- [Value 1](#): **Relationships with Children, Youth, and Families Are the Foundation**, by partnering with families/caregivers to identify supports that could provide more permanence for the child.
 - [Value 2](#): **Collaborative Partnerships with Kinship and Resources Families** through open communication and shared responsibility for the child's permanence.
 - [Value 3](#): **Helping Children and Youth Achieve Their Full Potential and Develop Lifelong Relationships** by prioritizing the best and most permanent placement for the child.
 - [Value 5](#): **A Strong Working Relationship with the Legal System** by collaborating with the court system to preserve the child's right to permanency.
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